IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7183 OF 2005
IN
CRI.APPEAL NO.1017 OF 2005

1. Yashwant Mahadu Wadge
2. Rupesh Ladhya Dole ..Applicants
Vs.
State of Maharashtra ..Respondents

...
Mr.L.M.Acharya Advocate for Applicants
Mr.B.H.Mehta A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 27, 2005

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail. The applicants have been convicted under Sections 452 and 420 r.w. 34 of IPC. The maximum sentence imposed on them is six months. It is contended on behalf of the applicants that the applicants were on bail during the trial and they have not misused the liberty granted to them. This statement is not controverted on behalf of the prosecution.

3. The learned advocate for the applicants has

further submitted that sentence imposed on the applicants is only six months and the appeal preferred by the applicants is not likely to be heard and disposed of within the period of six months.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. Each of the applicants i.e. applicant no.1-Yashwant Mahadu Wadge and applicant no.2-Rupesh Ladhya Dole to be released on bail in the sum of Rs.20,000/- each with one or two sureties to make up that amount. During the pendency of the appeal, the applicants shall report on first Sunday of every month to Manor Police Station.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]